

REMARKS

Upon entry of the amendments in this paper, claims 1, 3, 6, 8 and 14-27 will be pending in the above-identified application, with claims 14-27 being withdrawn. Claims 1, 6 and 8 are herein amended. Claims 5 and 7 are herein canceled. No new matter is entered. It is respectfully submitted that this paper is fully responsive to the Office action mailed on October 15, 2009.

Interview Summary Under 37 C.F.R. § 1.133:

Applicants thank the examiner for courteously conducting an interview with applicants' representative on January 4, 2010.

Applicants primarily discussed independent claim and the cited references, *Maekawa* and *Gold*. Applicants showed the examiner FIG. 1(b) of *Maekawa* which shows adhesive layers 21(a) and 21(b) having the same thickness. As such, the examiner agreed with applicants' position that the cited references did not disclose the claimed invention of first adhesive surface layer being thicker than the second adhesive surface layer.

Applicants also submitted that the references we not amenable to combination as suggested by the examiner. It is the examiner's position that the *Maekawa* reference shows all of the features of claim 1 except for the deglossed surface (now amended to further define this

feature as suggested by the examiner). The examiner contended that a person having ordinary skill in the art would use the adhesive material of paragraph [0052] of *Gold* in the invention of *Maekawa* in order to increase transpiration of the adhesive.

In other words, the examiner contended that using the structure of *Maekawa*, as shown in FIG. 3, and replacing the adhesive layers 21(a) and 21(b) of *Maekawa* with the adhesive of *Gold*, the deglossed feature of the claimed invention would be disclosed.

Applicants respectfully disagreed with the examiner. Specifically, applicants pointed out to the examiner, that *Gold* teaches the adhesive with small air bubbles in order to increase:

transpiration of the adhesive and its capacity of growth of hair through its thickness. (Paragraph [0053] of *Gold*.)

This is the advantage the examiner cited to to provided a reason to combine the references. However, the proposed combination does not provide the transpiration function as the examiner suggests.

To wit, applicants noted that in between the adhesives layers 21 of *Maekawa*, exists flexible planar component 2. As discussed in column 3, lines 6-16 of *Maekawa*, flexible planar component 2 is made from:

transparent or semitransparent synthesized resins such as plastics, for example polyethylene, polypropylene and vinyl chloride.

Applicants suggested to the examiner that these plastics do not possess the transpiration qualities discussed in *Gold*. Thus, even if the adhesive layers 21 had transpiration properties, because there is a plastic sheet in between the adhesive layers, the wig itself will not have the transpiration properties, thus defeating the purpose of combining *Gold* with *Maekawa*, as stated by the examiner.

The examiner tentatively agreed with applicants position, indicating that that the lack of transpiration properties of the plastics referred to in *Maekawa* would have to be verified.

Claim Rejections – 35 U.S.C. §112

Claims 1, 3 and 6-8 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

Applicants respectfully submit that the claims are definite. In independent claim 1, applicants are merely reciting a ratio without providing any specific dimensions. Applicants submit that this ratio is definite and respectfully ask the examiner to withdraw the rejection.

Further, applicants have amended independent claim 1 to recite that the second adhesive surface layer having a thickness equal to or more than a diameter of human hair. Applicants acknowledge that human hair can have different diameters, however, applicants submit that this claimed feature is definite as a person having ordinary skill in the art would know the diameter range of human hair.

As such, applicants respectfully ask the examiner to withdraw the rejection.

Claim Rejections Under 35 U.S.C. §103

Claims 1, 3, and 508 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,170,491 to *Maekawa* in view of U.S. Publication No. 2004/0237987 to *Gold*.

Applicants direct the examiner's attention to the arguments presented above in the interview summary.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

Application No. 10/544,573
Art Unit: 3732

Amendment under 37 C.F.R. §1.111
Attorney Docket No. 052875

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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